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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,033	11/21/2003	Lawrence Horwitz	146.001US01	2547

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EXAMINER	
DEBROW, JAMES J	
ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/720,033	HORWITZ, LAWRENCE	
	Examiner	Art Unit	
	James J. Debrow	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 November 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11/21/2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Application filed on 21 Nov 2003.

2. Claims 1-14 are pending in the case. Claims 1, 10, and 14 are independent claims.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The abstract of the disclosure is objected to because it exceeds the 150 words maximum length. Correction is required. See MPEP § 608.01(b).

Claim Objections

5. **Claim 13** is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

In regard to claim 13, the claim uses the language "by way of example only and not by way of limitation", which causes the dependent claim to be none limiting.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regard to claim 13, the claim uses the language *"by way of example only and not by way of limitation"*. The scope of this claim is unclear, therefore making the claim indefinite. The claim also uses the language *"might be defined by"*, which also does not offer a clear scope. This language further renders the claim as being indefinite.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 1 - 8, and 10 - 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burd et al. (Patent No.: 6,757,900 B1; Filling Date: May. 18, 2000)

In regard to independents claim 1, and 14, Burd et al. discloses an invention that manage the state of server-side control objects that process client-side user interface elements of a web page (column 1, lines 21-24). In an embodiment of the invention, the received state information includes the state of control objects *(collecting a current state)* that have changed from their initial states. Alternative embodiments may include control objects in the hierarchy, whether changed or not (column 5, lines 11-16). An operation sequence performs an operation that serializes the *state information* from control objects having changed states. The state information is added *(automatically storing the state)* to a transportable state structure for transmission to the client *(associating the said current state with the said previous context and storing the current state)*. Upon receipt of the transportable state structure, the control object hierarchy is recreated *(recalling the previously stored state),* and the load operation restores *(automatically restoring the state)* the hierarchy's state to that of the previous response

(restoring the previously stored state to said application) (column 5, lines 19-26; column 7, lines 53-56; column 13, lines 9-12). Burd et al. further discloses disk drives (hard disk, magnetic, and optical) and their associated computer readable media provide nonvolatile storage of computer readable instruction, data structures, programs, and other data for the computer system (column 11, lines 6-9; 400 in Fig. 4).

Burd et al. does not disclose expressly *determining a previous context for the said application; and determining a new context for the said application.*

However, at the time of the invention, it would have been obvious to a person of ordinary skill in the art that a system that could collect, recall, and restore previous context state, would also have a mechanism in place to distinguish the previous context state from the current context state. The suggestion/motivation in doing so would have been to determine when the state of the context information has changed from its state (column 5, lines 12-13).

In regard to independent claim 10, Burd et al. discloses an Initial operation, which initializes a server-side control object after it is created. The control object may be *customized* with specific server-side functionally that is declared in the dynamic content file (column 12, lines 59-62, 504 in Fig. 5). Burd et al. also disclose an embodiment that manages the state of server-side control objects that process client-side user interface elements of a web page (column 1, lines 21-24). In another embodiment of the invention, the received state information includes the state of control objects *(collecting a current state)* that have changed from their initial states. Alternative embodiments may

include control objects in the hierarchy, whether changed or not (column 5, lines 11-16). An operation sequence performs an operation that serializes the state information from control objects having changed states. The state information is added *(automatically storing the state)* to a transportable state structure for transmission to the client *(associating the said current state with the said previous context and storing the current state)*. Upon receipt of the transportable state structure, the control object hierarchy is recreated *(recalling the previously stored state),* and the load operation restores *(automatically restoring the state)* the hierarchy's state to that of the previous response *(restoring the previously stored state to said application)* (column 5, lines 19-26; column 7, lines 53-56; column 13, lines 9-12). Burd et al. further discloses disk drives (hard disk, magnetic, and optical) and their associated computer readable media provide nonvolatile storage of computer readable instruction, data structures, programs, and other data for the computer system (column 11, lines 6-9; 400 in Fig. 4).

Burd et al. does not disclose expressly *determining a previous context for the said application; and determining a new context for the said application.*

However, at the time of the invention, it would have been obvious to a person of ordinary skill in the art that a system that could collect, recall, and restore previous context state, would also have a mechanism in place to distinguish the previous context state from the current context state. The suggestion/motivation in doing so would have been to determine when the state of the context information has changed from its state (column 5, lines 12-13).

In regard to dependent claim 2, Burd et al. discloses a page factory module that outputs a page object. The page object and its children (text box object, a button object, and another button object) comprise an exemplary control object, as well as custom control object *(content types being edited)*, hierarchy (column 9, lines 49-53; 308 in Fig. 3). The page object is a server-side control object that logically corresponds to the web page. The text box object corresponds to the *text box* of the web page. The button object corresponds to the "add button" and "delete button" of the web page.

Burd et al. does not discloses expressly *current and previously stored states user interface elements including windows, menu items, toolbars, palettes, icon, scrollbars, and sliders.*

However, Burd et al. discloses an embodiment that includes server-side control objects that are created and executed on a server to generate HTML code that is sent to the client. The HTML code may embody any valid HTML construct, and may reference ACTIVEX-type controls, JAVA applets, scripts, and any other web resources to produce user interface buttons and other user interface elements at the client (column 10, 35-41).

However, at the time of the invention, it would have been obvious to a person of ordinary skill in the art that "other user interface elements" could include *windows, menu items, toolbars, palettes, icon, scrollbars, and sliders.* The motivation on doing so would have been to provide the user, at the clients, more options to interact with the user interface elements, and sending requests back to the server (column 10, lines 40-42).

In regard to dependent claims 3 and 4, Burd et al. discloses a method for managing the *state* of a server-side control object corresponding to a client-side user interface element incorporated in a web page displayed on a client (column 3, lines 23-25). It is well known in the art that the "state' of an object/element typically includes the object/element's *screen location, size, layout, and any specific state to a certain type,* as well as any *persisted* states.

In regard to dependent claims 5, and 13, Burd et al. discloses an embodiment where the server-side control objects handles input from the client's HTTP request to the server to manage the states of server-side control objects (column 10, lines 8-10; 200 in Fig. 2). The HTTP request includes a transportable state structure including state information, and optionally hierarchical information associated with one or more server-side control object (column 7, lines 40-42). Burd et al. further discloses using HTML, a developer can specify formatted *text*, lists, forms, tables, hypertext links, inline *images* and *sound*, and background *graphics* for display in the browser *(content types being edited)* (column 1, lines 54-56).

In regard to dependents claims 6, 7, 8, 11, and 12, Burd et al. discloses an embodiment where the server-side control objects handles input from the client's *(interface)* HTTP request to the server to manage the states of server-side control objects *(contexts are enabled or disabled)* (column 10, lines 8-10; 200 in Fig. 2). The HTTP request includes a transportable state structure including state information, and optionally hierarchical information associated with one or more server-side control object (column 7, lines 40-42). Burd et al. also disclose an operation that loads state information received in a transportable state structure to the appropriate server-side control object in the hierarchy to restore the control objects to their *previous state* (column 7, lines 53-56; 205 in Fig.2). The server-side control objects of the control object hierarchy perform one or more of the following: Postback event handling, postback data handling, state management, and data binding. Postback event handling, which may include without limitation, a mouse click event from a client-side *button element*, or a data change event from a client-server *textbox element* that is communicated to the server. Postback data, which may include without limitation text entered by the user in a *text box* element *(content type being edited)* or an index of an item selected from a drop-down box *(dialog box listing all possible settings)* (column 7, lines 57-67; column 8, lines 1-2).

10. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burd et al. (Patent No.: 6,757,900 B1; Filling Date: May. 18, 2000), and further in view of Becker et al. (Patent No.: 6,557,038 B1; Filling Date: Jun. 30, 1999).

In regards to dependent claim 9, Burd et al. does not discloses expressly, *said interface comprising context sensitive menus listing all possible settings, which comprises said current and previous states.*

However, Becker et al. discloses a graphical user interface, which provides for selections of various functions through menus (column 6, lines 44-47; 504 in Fig. 5).

Therefore, at the time of the invention, it would have been obvious to combine Becker et al. with Burd et al. for the benefit of providing a graphical user interface that provides dialog box listings, as well as menus listings for selecting possible setting when defining current and previous states.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James J. Debrow whose telephone number is 571-272-5768. The examiner can normally be reached on 8:00-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James Debrow
Examiner
Art Unit 2176

William L. Bashore

WILLIAM BASHORE
PRIMARY EXAMINER

1/23/2006